

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Jennifer Artesi)
)
v.) Civil Action No.: 1:19-CV-00214-AJ
)
DeMoulas Super Markets, Inc. d/b/a)
Market Basket, and)
Dennis Labatte)

**DEFENDANTS' ASSENTED-TO MOTION TO EXTEND DEADLINE FOR FILING
SUMMARY JUDGMENT BY SEVEN DAYS TO DECEMBER 30, 2019**

NOW COME the Defendants, DeMoulas Super Markets ("DSM") and Dennis LaBatte (incorrectly pleaded as Labatte), by and through their attorneys, Maggiotto, Friedman, Feeney & Fraas, PLLC, and submit this Assented-to Motion to Extend the Summary Judgment Deadline from the current December 23, 2019 to December 30, 2019. In support of their Motion, the Defendants state as follows:

1. Summary judgment motions are currently due on December 23, 2019.
2. Plaintiff was deposed on November 7, 2019 however, the deposition transcript was only received on or about December 9, 2019.
3. The deposition transcript is the primary exhibit for the Defendants' summary judgment motion.
4. The Defendants require a brief extension of time to review the transcript in order to complete and file their motion for summary judgment.
5. The above-referenced matter is scheduled for jury selection on April 21, 2020 (although no date has been issued by the Court for the Final Pretrial Conference).

6. This extension request, while placing the motion filing slightly outside this Court's time frame for such filings, will not affect the trial date; nor is modification of the trial date sought in this motion.
7. Counsel for the plaintiff assents to the within motion.
8. A memo of law is not required as the Court has the discretion to grant the relief requested.

WHEREFORE, the Defendants respectfully requests that the Honorable Court:

- A. Issue an order modifying the current due date for the filing of summary judgment motions from December 23, 2019 to December 30, 2019; and
- B. Grant such other and further relief as this Court deems just and equitable.

Respectfully submitted,

DeMoulas Super Markets, Inc.
and
Dennis LaBatte

By their Attorneys,
MAGGIOTTO, FRIEDMAN, FEENEY & FRAAS, PLLC

Dated: December 17, 2019

By: /s/ Dona Feeney
Dona Feeney, Esq. (N.H. Bar #12854)
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served through the court's ECF filing system on Leslie H. Johnson, Esq.

/s/ Dona Feeney

Dona Feeney, Esq.